

SCHOOL BUILDINGS COMMITTEE MINUTES

Tuesday, July 27, 2004

**MEMBERS PRESENT: Mrs. Ciarlo, Mr. Migneault, Mr. Lupino,
Mr. Eramian, Mr. Capezza, Mr. Lanni
and Mr. Jackvony**

OTHERS PRESENT: Mr. Ripley, Mr. Drager, and Mr. Scherza

Mr. Migneault called the meeting to order at 7:05 p.m.

Before Mr. Migneault asked for the acceptance of the minutes of the June 30, 2004 meeting, he noted a few corrections to be made on the minutes of that meeting. Please note the following:

- Page 2, Paragraph 2, line 13 “strange coherence” should be “strange occurrence”**
- Page 4, Paragraph 2, line 4, “bateaumus” should be “bituminous”**
- Page 4, Paragraph 4, line 2, “squeeze” should be “screed”**
- Page 6, Paragraph 1, line 1, “elevate” should be “alleviate”**
- Page 6, Paragraph 3, line 11, “AZ-Built”, should be “As-Built”**
- Page 8, Under East, line 12, “the attorney” should be “an architect”**

Corrected pages are attached, for your information and implementation into the original minutes.

At this time, Mr. Migneault asked if there were any additional changes to the above minutes. With there being no additional changes, Mr. Migneault asked for a vote of the committee on the above changes. Mr. Lupino made a motion to accept the above changes on the minutes of the June 30th meeting. Motion was seconded.

A vote was taken on the amendments of the last meeting. All were in favor.

School Buildings Committee Meeting

June 30, 2004

Page 2

At this time, Mr. Migneault asked for a vote to accept the minutes of the June 30th meeting. All were in favor.

At this time, Mr. Migneault stated that officially, he has been notified by Mr. Lonardo that he is not at work because of an injury to his back and was doubtful that he would be able to attend this meeting.

Mr. Migneault noted that Mr. Capezza passed out a letter to all members present from Peter Kennedy, Esq., who is representing the City in the mediation against DePasquale. At this time, Mr. Kennedy as such has advised Mr. Lonardo not to meet with this committee on

any issue involving the Orchard Farms Elementary School.

Since Mr. Lonardo is unable to be at the meeting, Mr. Migneault has asked Mr. Ripley to give the committee a report on the two projects.

NEW ELEMENTARY SCHOOL – Lonardo & Associates

Mr. Ripley reported that there has not been a lot of work going on since the last meeting. They did put some downspouts up and gutters to alleviate some of the water problems at the Media Center door. They did some additional work on the columns in the front and the efface work in the entryway is completed. The perimeter is caulked in both entryways. All the caulking is complete around the louver in the back going into the boiler room and the gas pipe going into boiler room. The greenery has come up after they fertilized. This greenery needs cutting, which is part of the original contract (owes us two (2) cuttings). He has been trying all week to get the landscape contractor to the project.

Mrs. Ciarlo asked when the seeding would be done. Mr. Capezza reported that he did receive correspondence from the Public Works Director stating that there will be several celebrations for the City which are scheduled in front of the new school with the first of these celebrations being held September 18th or 19th and asked that we tell the contractor not to re-seed it before that date. A discussion ensued regarding these celebrations, etc. Mr. Lupino reiterated to the fact

that this school is not a City building but is a School Building and we should be notified of any use of the school building,

School Buildings Committee Meeting

June 30, 2004

Page 3

grounds, etc. Mr. Lupino noted the memo from Mr. Lonardo to Mr. Ripley. The cover sheet is responding to the memo. Mr. Lupino asked what that memo was about. Mr. Ripley noted that it was in regards to requesting a meeting with Mr. Lonardo and Cataldo to review all the work that Cataldo has been doing at the project. A discussion ensued regarding this memo and the letter from Mr. Kennedy.

Mr. Migneault noted that we know that DePasquale has filed for mediation and he has been told that Mr. Kennedy has been hired to represent the City in this mediation. Mr. Lupino asked whose job is it to inform the parties involved that some of the issues at the new school are safety issues that need to be addressed in a timely manor. Mr. Lupino asked about the erosion coming down from the bank off of the trees. Mr. Ripley reported that he has not seen any additional erosion coming down from the trees. Mr. Lupino asked if the committee should let the lawyers know that we are looking for either a quick settlement or some leverage to at least have some discussions with Mr. Lonardo so some of these problems can be

taken care of.

A discussion ensued regarding the architect's role in this project. Mr. Lupino assumed that when we hire the architect, he is the engineer and the one who makes the final determination on our behalf.

Mr. Migneault stated that he does not see where we cannot communicate with Mr. Lonardo and we can do that through Mr. Ripley or through Mr. Capezza, who have direct day-to-day dealings.

Mr. Eramian reiterated that this committee has what is commonly described as safety issues that we would like to get resolved before school opens. We will not get the drainage fixed before school opens up. But there are safety issues regarding walk ways, etc. that needs to be fixed before school opens and how can we facilitate that. Mr. Migneault answered that the walk way (where the crushed stone is) is a drainage issue with frost heaves and there were questions about the grading of the soil and the pitch of the sidewalk.

School Buildings Committee Meeting

June 30, 2004

Mr. Eramian asked if there was something that can be done because it is obvious that it gets involved with issues of access for children with disabilities. How can we proceed to do something to make sure that we improve these problems?

Mr. Migneault noted that it has been quoted that DePasquale feels he installed the concrete in accordance of plans and specifications and to the grade established. However, he does have an obligation to complete the contract work which he is out there doing slowly but surely.

Mr. Ripley reported that approximately 1 ½ weeks ago the Fire Marshall was at the above site doing an inspection of the school and Mr. Ripley was told, after, by the Principal that the Fire Marshall wrote them up for the entrances to the cafetorium, media center, the back door by the gym and the Kindergarten entrance on the back where there is stone. Mr. Ripley reported that he has not seen the report. Mr. Eramian asked if the City could do something about this at this time. Doesn't the City have the ability, from a safety standpoint, to step in and make it right? Mr. Migneault agreed with Mr. Eramian but questioned how it would be paid for. A discussion ensued regarding this issue.

Mr. Eramian asked that if we were in some kind of mediation, wouldn't our attorney's order some sort of third party investigation? Wouldn't that be a normal course of solving a problem? Are there any avenues through the bonding that the contractor would have put up going into the project?

Mr. Migneault noted that this has been done in the past. The bonding company goes out and hires an engineer or an architect to study the problem. They come back and they recommend a solution or a financial settlement.

Mr. Capezza noted that from day one, he believes that this is not a construction problem. He doesn't feel that it is 100% design but he thinks that the construction down to that site is not causing the majority of the problem. Mr. Migneault noted that if the arbitrator or the mediator determines that it is 50/50 between design and construction, then there is no solution/no settlement. Now there is a secondary safety issues because there is stone, not concrete, and these are entries or emergency exits.

School Buildings Committee Meeting

June 30, 2004

Page 5

Mr. Capezza noted that at one of the recent meetings, he remembers Mr. Lonardo stating that they were going to have concrete back by the opening of school. He remembers Mr. Lonardo stating that they

will have a resolution. Now here we are the first of August without a solution.

Mr. Lanni asked the committee; approximately how much money are we talking about? How many yards of concrete do we need to patch it over? Mr. Eramian stated that it may be money at risk and it may be repairs that will be done again next spring, but it will be safe to walk into school on September 1st. How much money are we talking about?

Mr. Capezza noted that it is approximately \$5000 worth of concrete. Mr. Lanni stated that in an emergency appropriation like this, we should be able to come up with \$5000 just to get it done because it is a safety issue. You can't open up a school and the Fire Marshall won't let you open up a school with gravel in front of the doorway. This has to be done almost immediately. There is a time frame but the work has to be done. When a purchase order is written for this emergency contract, they may question where this will be charged to.

Mr. Capezza reported that DePasquale made delay claims in the general amount of ½ million dollars. They are looking for this money because they believe the City delayed the process of this project. As far as Mr. Capezza knows, this is not on the table at this time unless they find out it is a construction problem.

At this time, Mrs. Ciarlo noted that she was going to contact Mr. Lonardo tomorrow morning and discuss the above issues with him seeing that there is a time restraint on the opening of school. The concrete issue and fire marshal issues must get resolved before school opens in September.

Mr. Lupino reiterated that this has become a safety issue. The concrete was ripped out because of frost heaves, which created another safety issue. There are insurance companies involved also. There is another option of going with our insurance. Mr. Migneault fears that if insurance companies get involved he fears there may not be a solution by the time frame we need to open school.

School Buildings Committee Meeting

June 30, 2004

Page 6

A discussion ensued regarding the cost of the repairs and where the money would come from.

Mr. Lanni noted that there is a 5 – 6 million dollar surplus and he is sure that they can come up with \$5,000 - \$10,000 in an emergency like this. Mr. Migneault noted that the council passed a resolution in December, accepting the project and giving the care and custody of the new school to the school department. Mr. Lanni reported that if you let the City attorney know that these issues are safety hazards

and nothing is done about it and something does happen, then there will be trouble. He feels that just by notifying the attorney, we should get some results.

Mrs. Ciarlo also noted that a copy of the fire marshal's report would be helpful in this situation. This is a more pressing problem, too. She is going to track down a copy of this report and send a copy to the committee members. Mr. Lanni stated that he would be more than willing to co-sponsor a resolution to secure the money even if it is on a temporary basis, just to get this moving.

Mr. Capezza noted that he would speak to the Public Works Director, who has been in close contact with the attorney who is handling the arbitration. He is sure that the attorney is aware of this problem and noted that he wasn't against getting it fixed and he wasn't against getting the third party out there to get concrete out there. A discussion ensued regarding the process they will follow.

A discussion ensued regarding the first flooding issue and the fact that the carpet has not been cleaned yet. Mr. Lonardo instructed DePasquale to clean the carpet and Mr. Ripley reported that this has not been done to date.

Mr. Lupino stated that he believes that the City should consult an attorney regarding issues on this project.

Mr. Eramian noted that everything presented at the last meeting by Mr. Lonardo, etc., was preliminary data. There were areas that looked like there were problems, but it was all preliminary information. They did not have enough data to determine anything at that point. They came to no

School Buildings Committee Meeting

June 30, 2004

Page 7

conclusions, that Mr. Eramian could see. Mr. Migneault agreed with Mr. Eramian. It was a copulation of a lot of data without an analysis determining the solution. They said that they would have something ready by the middle of July. There was nothing definitive in his report to say we agree or disagree. There wasn't enough information presented that you could get an opinion from.

A discussion ensued regarding the above study.

Mr. Migneault noted that this committee voted at the June meeting to request an independent third party and that letter was sent May 5th, with a follow up meeting with Mr. Grimes concerning whether the problem was a design or construction problem.

Mr. Migneault noted that we could compile a list of our questions and concerns, which is the drainage, the May 5th letter, and the Fire Marshal Report (if we had it) and forward this to Mr. Kennedy stating

that these are the issues that we hope you are addressing in your studies.

Mrs. Ciarlo asked if Mr. Kennedy is representing the response to Mr. Migneault's letter of May 5th for an independent third party. Mr. Migneault suspects that Mr. Kennedy is hired by the City to handle the DePasquale arbitration. Mrs. Ciarlo noted that she feels we should get a response to the May 5th letter.

Mr. Eramian noted that if we send anything, we should send a 90 day follow up letter on our May 5th letter that states, "On May 5th we asked for an independent study. Whatever happened".

Mr. Migneault asked for a motion to send a follow up letter to the May 5th letter asking what actions have been taken to get an independent investigation/analysis done of the above site. Mr. Eramian made the above motion. Mrs. Ciarlo seconded the motion. Mr. Lupino made note that the motion should be amended to include the phrase, "Time is of the essence".

Mrs. Ciarlo added that the motion should include also that the school may not be able to open on September 1st, therefore prompt response is requested.

School Buildings Committee Meeting

June 30, 2004

Page 8

Mr. Lanni brought up the Fire Marshal's Report and if this should be attached to the letter. Mr. Migneault stated that he would do this if Mrs. Ciarlo is able to get a copy of that report.

At this time, the committee voted on the above request for the letter and also the request to add the amendment. All were in favor.

GLADSTONE ADA – Lonardo & Associates

Mr. Ripley reported that Gladstone is 99% complete. He received the punch list from the contractor today with 9 items on it, most of which is clean-up.

The only item they are waiting for is the elevator inspection by the State. The State is backlogged and right now we are scheduled for an August 3rd inspection. Once the inspection is done, they can push for a CO and will be complete.

Mr. Migneault asked about the Phase II, Power Upgrade, and if it has been completed. Mr. Ripley stated that it has been done. Electrical inspector for the City has checked it all out and has signed off. Otis has done their running of the elevator and are now waiting for the State Marshal to come and do the full load test.

Mr. Eramian asked about drainage issues near the door. Mr. Ripley noted that there were some problems but they have been taken care

of. He stated that between the addition and the stairwell going down into the cafeteria, the water was coming down the downspout and ponding in that corner between the wall for the stairwell and the foundation wall for the addition. They dug a 4 ft. deep stone drywell into the ground and there hasn't been a problem.

CRANSTON HIGH SCHOOL EAST FEASIBILITY STUDY – Prout Architects

Mr. Migneault referred to the School Committee Resolution passed out to all committee members.

Mr. Lupino added that, regarding this resolution, the school committee tried to be cognitive to the fact of the financial conditions of the City.

School Buildings Committee Meeting

June 30, 2004

Page 9

The original bond was for \$13,800,000 but they had originally merged the Park View addition, the addition on Western Hills and Cranston East Addition. A discussion ensued regarding the money and the breakdowns.

Mrs. Ciarlo reported that the School Committee had hired Prout, who had a considerable amount of work they did on designs to

accommodate Cranston High School East. They did work based on a population of 1600, which they are close to now. At some point in time, if we are not going to build a third high school, we're going to have to do some redistricting, because we are almost at 1900 students this year at Cranston West. A discussion ensued regarding this issue.

Mrs. Ciarlo believes that the Roof Repair at Cranston High School East has to be done. There isn't enough cafeteria space, they absolutely need classrooms, they have programs that the State requires more space for these programs, i.e. Science Rooms. They need an elevator at Briggs. There is some fire code work, also, that must be done. This will be done with a floating bond. Mrs. Ciarlo suggested that Prout make a presentation to this committee of their designs.

Mr. Eramian noted that the Prout study gives you a good analysis of options, as your considering options. It tells you some of the design constraints that you're working with and that you're talking about modifying the classroom space. Whether you are going to add one classroom or ten classrooms, those are numbers we can work on. The Prout report, if nothing else, will put everybody on the same thought as far as "What are the design constraints". It will bring out the issues and the committee can talk about them.

Mr. Lupino suggested that all members of the committee get a copy

of the Prout report so that they can familiarize themselves with it. Right now there are about three or four possibilities that will work. Prout did a good job of letting you know what could be done. Mrs. Ciarlo noted that she would contact Prout and have some copies sent to members of this committee within the next day or so. Mr. Migneault reiterated that they will make a presentation on their report and the options they're recommending. (Summarize the design constraints and the options that were evaluated) A discussion ensued regarding this suggestion.

School Buildings Committee Meeting

June 30, 2004

Page 10

Mrs. Ciarlo noted that the above resolution #04-7-20 should be approved on August 16th at the next School Committee Meeting.

Mr. Lupino noted that there was a lot of discussion about the population and that a third high school should be in the offering. But due to the monetary problems, a third high school would not go through now. Mr. Lupino stated also that the School Committee would like this project to stay within the confines of the bonding. The one thing not in the proposal is the Land Acquisition. The options are that we put the addition in the parking lot in the back, or an appendage on Julia Street or some fashion thereof. Mr. Lupino also reiterated that time is of the essence on this project also because of NEASC.

Mrs. Ciarlo noted that projected enrollment at East for September is close to 1500, and we're just 30 shy of 1900 at West. We should be expanding the Career & Technical Center because of the number of programs. We have already shut down two programs.

Mr. Jackvony mentioned that article regarding Mr. Angel in the Providence Journal. Since the last meeting, he has gotten another opinion from the City Solicitor straightening out the fact she called to say that Mr. Angel was hired to do diligence for the City and is not specifically going to be with this project till the end. A discussion ensued regarding this issue.

At this time, Mr. Migneault asked if August 24th (our next scheduled meeting) was a good time for Prout to meet with this committee briefly on his designs. We don't want him to go through all of the steps of the designs, but clearly so that we all know what they designed and what their final recommendation is. (Basic design and limitations) It was suggested to ask Mr. Frederick, Principal of Cranston East, to be available also, because he has been working very closely on the designs. Also, a copy of this latest resolution will be sent to Prout Architects with the letter.

Mr. Lupino also reported that one of the more popular dreams, on the above project, was the Brown's Dairy property. By majority, the School Committee thought that it was too expensive a proposition. A

discussion ensued regarding the different property options and the costs.

School Buildings Committee Meeting

June 30, 2004

Page 11

NEW BUSINESS

Mr. Lupino asked about the roof at Cranston High School East. Mr. Lupino noted that this project cannot be done until next season because it has not been started yet. They cannot have the construction under way while school is in session.

Mr. Jackvony noted that this project would have to start plans this January to do the roof for next summer.

A discussion ensued regarding the bond rating improving, and the funding of the two roof projects at Oak Lawn and at Cranston High School East.

With there being no new business, Mr. Migneault asked for a motion to adjourn. Mr. Lupino made the motion to adjourn. Mr. Lanni seconded the motion. All were in favor.

The next meeting of the School Buildings Committee will be held on Tuesday, August 24, 2004 at 7:00 p.m. in the Briggs Conference

Room.

Respectfully submitted,

Gail Leone

Recording Secretary